position is looking at how much testing can we do. And we are testing, and we are verifying. But we are up to 750 tests a week right now and heading for more. We are a HACCP plant. We have our programs in place, our SOPs, our GMPs. And everything to me is pointing back to lot identification, isolating this pathogen as much as we can at the earliest stage in the process of this industry.

So my comment is I like what I am hearing. I certainly hope everyone else in this segment and the consumer groups here like what we are hearing and USDA likes what we are hearing. To isolate and get back to the carcass, and to get back to where we need to be with the proper kind of testing, and really look at a prevention HACCP program the way it was designed, is where we need to be and where we need to go.

On the non-intact issue, all I can say is we are a company that suddenly we are faced with many, many sub-primal cuts that come into our organization. They are already trimmed. But we are going to have to face something new again, once again, with the issues that are coming along. Again, it all points back to control and to prevention, and that is really where we need to be. HACCP is truly a prevention program when it is in its proper perspective. Thank you.

MR. BILLY: Thanks, Tony. Other questions or

comments about the information presented by the folks from Kansas State University?

MR. MOSS: My name is Joe Moss. I am with JTM Provisions in Cincinnati, Ohio. I just want to add to what was just stated. Indeed, over the last several years, us grinders, everybody seems to keep pointing the finger to us to take care of this E. coli problem. To date, you know, I have worked on it a great deal. And I stand a lot of risk each day as to whether someone might get sick on something that I produce. That certainly would ruin my whole life's work.

I have studied hard to see how it is that I can make 0157 not be in my product, and I haven't come up with a solution. Indeed, if 0157 comes into my plant, there is really no way for me to get rid of it, since I make raw hamburgers. I certainly also would like to reiterate then as well that I particularly like what I am hearing today, that I have been really frustrated over the last several years of having the fingers pointing at me every day to say that I am the problem, as though there is something much that I can do about it.

The questions and answers that were submitted by FSIS prior to this meeting today actually continue to point at that, quite frankly. There were, you know, what if a receiving establishment finds 0157 in their product or in

the meat that they receive, what should they do. And the answer was, well, reassess your HACCP plan, take corrective actions. Well, you know, again, I read something like that, and I go why do I reassess my HACCP plan, I didn't do anything. What corrective actions do I have available to me? I am not sure I have any.

So indeed, you know, the issue is a bit more of a carcass. If we are going to try to get rid of 0157 out of the food supply, continuing to try to point at the grinders seems illogical, that indeed if we are trying to get rid of 0157 out of the food supply, that that would have to be something that would happen at the carcass level. Thanks.

MR. BILLY: Thanks. Any other -- okay. Tony, did you have any other points you wanted to make?

MR. DUGUAY: Excuse me?

MR. BILLY: Do you have any other points you would like to make?

MR. DUGUAY: Not really. Just that the non-intact issue, I think, again from what I am hearing on the research that has been done so far, I think that I would like to see us go back and reevaluate, and the agency consider the carcass testing program and the interventions and risk assessment that needs to be performed on both non-intact and the carcass sampling method that we are proposing this morning.

MR. BILLY: We will carefully consider all data, as I said in my opening remarks, all data and information that is made available. So you can be assured of that.

The next person on my list is -- oh, yeah, go ahead, Marty.

MR. HOLMES: Does that mean that you would re-look at your risk assessment that is being done now with Mark to consider intact steaks? I had understood at this point that it did not include intact steaks at all in the risk assessment -- non-intact steaks, excuse me.

MR. BILLY: Yeah. Our original plan for risk assessment was focused on ground beef. But we have reconsidered that, and we are looking at doing some additional work after we complete the initial planned risk assessment on ground beef to look at other beef products. I don't know if you want to add to that at all.

MR. HOLMES: Would that mean you would be willing to consider holding this policy clarification in abeyance on non-intact steaks until that risk assessment is done?

MR. BILLY: We are going to look at all of the data and information. We are not going to reach any conclusions at this public meeting. But we encourage that kind of data and information to inform us about decisions like that. Caroline.

MS. SMITH-DEWAAL: Caroline Smith-Dewaal, Center

for Science in the Public Interest. I just wanted to add some data to what you are considering in terms of the other cuts of meat issue. In our review of 225 food borne illness outbreaks, we identified two outbreaks of E. coli 0157:H7 linked to roast beef. One was in 1990, July 1990. The second was in August 1995. And we can't tell you whether those products were needle tenderized or not.

In addition, we believe CDC would have better information related to outbreaks linked to meats -- of 0157:H7 linked to meats other than ground beef. But there are some outbreaks which occur. And clearly, the issue is whether the needle tenderizing or some other step may have contributed to that.

MR. BILLY: Marty.

MR. HOLMES: Marty Holmes from North American Meat Processors. I would like to follow up that we did approach CDC to ask them if they had any data, and they said they do not, on mechanically tenderized products associated with illnesses from 0157:H7. We tried to find that data.

MR. BILLY: All right. The next presenter is Richard Wood. Is he here?

(Pause)

MR. BILLY: As I say, going, going, gone. All right. Heather.

MS. KLINKHAMER: Heather Klinkhamer with Safe

AFTERNOON SESSION

(1:35 p.m.)

MR. BILLY: Are you ready, Phil? Please be seated. I would like to get started. I understand that there are some additional questions that a couple of people have thought about over lunch in terms of the proposal. But to be fair to the other presenters, what I would like to do is to work through the rest of the list, and then at the end, we'll come back. And if there are other thoughts about the proposal that the industry coalition put on the table, we can deal with them at that time.

The next person on my list is Phil Olsson with Olsson, Frank & Weeda, and he is representing Food Maker. Phil.

MR. OLSSON: Thank you very much. I'm appearing here today to present a statement for Dr. Dave Theeno of Food Maker and Jack-in-the-Box. Dave Theeno and Food Maker have been leaders in the area of sampling and testing for E. coli, a leader in the quick service restaurant field, and he regretted very much that he could not be here today, and he asked me if I would present his statement. And I am pleased to do that.

As most of you are aware, Jack-in-the-Box has been actively doing E. coli 0157:H7 testing since February of 1993. The testing program has been run in partnership with

the company's hamburger patty suppliers. Jack-in-the-Box considers it a critical element in its overall food safety system. It must be clearly stated at the outset that no technique and/or amount of 0157:H7 testing can ensure that uncooked ground beef is absolutely free of the organism. However, the Jack-in-the-Box 0157 testing program has successively enabled the company to select vendors that are doing a superior job of controlling microbial contamination in the slaughter and fabrication process.

The Jack-in-the-Box 0157 testing program was recently reviewed by outside experts and found to be statistically effective at detecting 0157:H7 contamination levels in ground beef. Jack-in-the-Box has also been in communication with other companies involved with sampling programs and believes that these other programs are effective for their intended uses.

The 0157 problem cannot and will not be solved by individual efforts. Jack-in-the-Box would not have been able to achieve its current levels of control had the company not had working partnerships with its suppliers. The only way that the entire food system or any members of it will make improvements is by working together. To that end, several initiatives are underway or soon shall be that will have a significant positive impact on the control of 0157, in the opinion of Jack-in-the-Box.

First, a working consortium within the beef industry is proposing initiation of carcass 0157 testing as a verification procedure for in-plant interventions. Since the introduction of the organism to the edible food supply occurs in the transformation from live animals to food, this is the proper place to focus efforts. There will undoubtedly be debate over sampling techniques and frequency. However, those issues can be addressed as we go. This initiative deserves the agency's support.

Secondly, the beef industry consortium supports doing a pilot study in conjunction with a consortium of quick service restaurant operators which will assess the efficacy of the in-plant intervention and investigate enhanced sample acquisition and analytical technologies. These two initiatives will require six to nine months to complete and perform the proper assessment of the results.

USDA FSIS has a risk assessment underway which will further help define how we may all collectively better focus our efforts to control the threat posed by 0157. During the period of time required to evaluate this proposal, Jack-in-the-Box will continue its current testing program. It is Jack-in-the-Box's understanding that its counterparts in the food service industry will also continue their current testing programs. During this time, it is imperative that the existing discretionary lotting system

Tables Our Priority. I want to begin by thanking FSIS for responding to STOP's May 1998 ground beef guidelines comments by addressing the contaminated intact products intended to be processed in a manner that would introduce surface contamination to the interior of the product. This was the right thing to do to protect public health, and we strongly urge FSIS to implement the new policy as soon as possible. Consumers are counting on you to enforce food safety laws and to enact policies that promote public health like this one.

Instead of giving you a presentation, I actually have a list of questions to ask you. Some of these are for clarification on the directive and also about portions of the Q and A, if that is okay.

MR. BILLY: Mm-hmm.

MS. KLINKHAMER: I'll also just add that some of these questions arose from responses that I had gotten to a FOIA request regarding the E. coli 0157:H7 sampling program. The first question that I have is the definition of raw ground beef products in the directive 10010.1 version from February of '98. It describes products that may be distributed to consumers as such. And I wondered what you meant by that.

DR. ENGELJOHN: This is Dan Engeljohn with FSIS. The products affected by that directive for raw ground beef

products were those that most likely would be purchased by a consumer, sold to a consumer as such. So manufacturing trimmings or boneless beef products that in and of themselves would not normally be sold in that form but would be formulated into ground beef to make a certain lean meat requirement, a certain fat content requirement, would in fact then not be sampled themselves, but the finished product would be. So it would be what normally would be available to the consumer.

I think we identified a number of products, such as products derived from advanced meat recovery, which normally in and of itself is not sold as ground beef.

MS. KLINKHAMER: Okay. Just a comment for you. And after I am finished analyzing the responses that I have gotten, I'll send a document to you. But I have noticed just by leafing through the returned documents that quite a few inspectors are not including samples in the sampling program because they say it is intended for retail, which seems -- it seems that they are implementing what is opposite of the intent here, so just for your information.

With regard to the section 4(b), No. 2, could you explain the excepted criteria to be exempt, so to speak? In No. 2, it says each lot is specific enough -- sorry. What amount of product is to be tested under No. 1, and how frequently should it be tested to meet the requirements in

No. 1, B1?

DR. ENGELJOHN: I'm sorry, Heather, I can't remember what that section is.

MS. KLINKHAMER: Oh, I assumed you had a copy in front of you.

DR. ENGELJOHN: With section 1 --

MS. KLINKHAMER: It is under section 4(b)(1).

DR. ENGELJOHN: And that is the situation where samples are collected at inspected establishments, where they conduct routine daily testing.

MS. KLINKHAMER: Right.

DR. ENGELJOHN: We don't have defined what would be the minimum requirements for a sampling program.

(Pause)

MS. KLINKHAMER: Could you -- okay. Moving to No. 3 in the same section, could you tell me which interventions have been accepted under No. 3?

(Pause)

MS. GLAVIN: None of us is able to do it out of our memories, but we do have in the regs a list of interventions in the HACCP pathogen reduction reg, accepted interventions. And to the best of my memory, it includes steam vac and steam pasteurization, and I believe some other things, but I wouldn't go with my memory on that.

MS. KLINKHAMER: So it is interventions that are

mentioned in the Federal Register notice on the pathogen reduction HACCP regulation. And to your knowledge, no new interventions have been adopted since?

MR. BILLY: I think they are not in that part of the regs. They are in a different part that lists approved or accepted process interventions. Can you come up? Speak in the microphone.

MS. NEIBRIEF: Judy Neibrief, FSIS. I agree. I am just not sure that they are in any regulation as opposed to preamble discussions of the work done so far and what people have been using in order to satisfy regulatory requirements. But without the reg book, I would hate to swear.

MS. KLINKHAMER: I have another question related to No. 3. I was wondering how prevention of the use of boneless beef or carcasses from outside sources is enforced. For instance, in mixing ground beef, I understand that sometimes a product like AMR is added as a constituent of the ground beef. Are those constituents part of this exemption, or would those be tested separately?

MS. GLAVIN: I think No. 3 has to do with someone at a grinder or at retail relying on testing of trimmings. And so if you are going to rely on that exemption, you can't have trimmings from another source, or anything from another source since you are relying on the testing of those

trimmings.

MS. KLINKHAMER: Okay, thank you. And I have a very basic question. If you could explain to me the process of condemning the product. Is it held in storage, is it guarded, you know, is it under FSIS control, is it discolored so that it won't be used?

DR. MINA: I'll address the handling of condemned product in general. Normally, that product is disposed of under the direct supervision of the inspector. And it is normally decharacterized or denatured to make sure that it cannot be used for human food. And it is either disposed by or is removed through a rendering company or is rendered on the premises.

MR. BILLY: How is it isolated in the plant, say, in a --

DR. MINA: Yeah. Well, these products are retained, meaning they apply a tag, the inspector will apply a tag, or put it under seal in a retaining cage until that carcass is disposed of. And I said, it is under the direct supervision of an inspector. We do have very tight controls on condemned product to make sure that they are disposed of properly.

MS. KLINKHAMER: I wanted to also ask you, when I read the directive it seemed to me that the inspectors are taking the samples within the processing plants, but

compliance officers were taking the samples at retail. Is that correct?

MS. GLAVIN: Yes.

MS. KLINKHAMER: Okay. And just to confirm, this directive does cover the -- it covers retail product and product that is intended for retail, right? Okay. Now I have the Q and A questions. Can I continue, or do you want me to --

MR. BILLY: Have at it.

MS. KLINKHAMER: Okay. Under question No. 1, the very bottom of the answer, it says, "Only the product units that are represented by the positive sample will be considered contaminated." Could you please define what the product unit is?

DR. ENGELJOHN: This is Dan Engeljohn with FSIS. The qualification for question No. 1 starts out with this being product at a receiving establishment. So at that receiving establishment, there would have been some declaration as to what the lot for that particular sample represented. So if there were four combo bins that represented a sample of product that was positive, then it would be those four combo bins affected.

So again, the question sets this up as being product that is being delivered at another location other than where it was slaughtered and broken down into the

various combo bins. So there are defined segments of product at the receiving establishment.

MS. KLINKHAMER: Okay. Now under section -- I'm sorry, question No. 3, at the end it says, "In addition, the remaining eight combos would be sampled and tested in order to determine if the 0157:H7 is present." Who would do the testing in this instance? Would it be FSIS or the plant?

DR. ENGELJOHN: Again, in this -- this is Dan Engeljohn again. In this situation, question No. 3 was set up as a receiving establishment would be doing the sampling. This is not of ground beef but of manufacturing trimmings or something other than ground beef. So it would be the establishment.

MS. KLINKHAMER: Okay. I think I know the answer to this, but I just wanted to make sure by asking you. Is the industry or are the labs testing for 0157 required to notify FSIS of positive samples?

DR. ENGELJOHN: I think we answered that in one of the questions. It must be question -- No. 14 was about notification of a positive sample. And if it is the industry sampling or a laboratory sampling, there is no regulatory requirement to notify FSIS.

MS. KLINKHAMER: Okay. And No. 5, FSIS does not intend to attempt to trace back the product or to take any regulatory action of supplying establishment that shipped

0157:H7 contaminated product unless there is reason to believe that the supplying establishment knew that the product was contaminated and did not have in place and followed the controls necessary to prevent adulterated product from being distributed to consumers. How would you establish intent?

DR. ENGELJOHN: The issue here -- again this is Dan Engeljohn -- is that we are aware of situations where a supplying establishment has worked out an agreement with a receiving establishment in that a sample is pulled at the supplying establishment and sent off to a laboratory to be analyzed. Those results may not be known until that product arrives at the receiving establishment.

In that case, the status of that product is unknown until it arrives at the receiving establishment, so the question that was posed in the original set of questions that we issued shortly after the January 19 issuance of this policy was that in that particular situation, is the supplier shipping product that in fact turned out to be positive. And the answer was that they didn't know that it was positive until it arrived at the receiving establishment.

So that would be a situation where the status of it is not known until the lab results come back in. It would be a different situation if in fact that product was

knowingly identified as positive. There may be records in the plant that it was positive, and they shipped it to be ground as opposed to being handled as intact product. And I think that is a situation we would have to deal with on a case by case basis.

MS. KLINKHAMER: Okay. For question No. 7, I have a few questions here. How could a receiver take corrective action once they have received contaminated product?

DR. ENGELJOHN: Again, we didn't present that information in that we don't know all of the situations that could or should occur at a receiving establishment. But it may be that establishment doesn't have in place a purchase specification, for instance, where they are specifying pathogen testing on that particular product. One corrective action may be that that would be something that they would design into their system. But I can't answer your question specifically.

MS. KLINKHAMER: Okay. Does FSIS have protocols for the proper disposal of product?

DR. ENGELJOHN: Yes, we do. I think we answered part of that in a situation where a product is identified as being positive for 1057 and asked what would be appropriate actions that that particular establishment would take.

MS. KLINKHAMER: Caroline, sorry to interrupt your reading, but I recall, and I just want to verify, that you

once mentioned that you heard of product being disposed in a landfill.

MS. SMITH-DEWAAL: We had discussions about what would be appropriate disposal for E. coli 0157:H7 tainted meat, I believe at one of the public meetings that Dell Allen was at. And I think that I mentioned that that would be inappropriate to dispose of it there. And actually, I think some companies have mentioned to me that that is one of their options when they face that situation.

MS. KLINKHAMER: Is that an option?

MR. ALLEN: Could you repeat -- I didn't hear what would be appropriate or inappropriate.

MS. KLINKHAMER: The initial question was whether FSIS had protocols for the proper disposal of E. coli contaminated product. And I had heard a comment at another meeting from Caroline about disposal of E. coli contaminated product in landfill and a concern about that disposal method. And I was wondering if that was a disposal method that FSIS approved of or had a policy on.

MS. GLAVIN: We do not have a policy on disposing of product in landfills. When the product is condemned, it has to be diverted from human food channels.

MS. KLINKHAMER: Okay.

MS. MUCKLOW: May I also clarify that when product goes to a landfill, it would be denatured. You can't go and

dig it up again and eat it.

MS. SMITH-DEWAAL: But that's not the point. Just for clarification, that is not the problem, Rosemary. There are many outbreaks linked to 0157:H7 from tainted water. And the question is how 0157:H7 might get into the environment. So putting tainted raw meat into a land fill where it could grow and then cause further problems downstream would be an issue.

MS. KLINKHAMER: And just for the record, STOP does have members who contracted E. coli 0157:H7 from well water, so that is a concern. With regard to question No. 8, you say, "Appropriate action would include the following: number one, performing appropriate corrective action." And I just would appreciate if you could give me some examples of that type of action.

DR. ENGELJOHN: I'm sorry, Heather. I didn't catch the question.

MS. KLINKHAMER: Oh, that's okay. For question No. 8, the answer is, "Appropriate action would include the following: number one, performing appropriate corrective action before reassessing a HACCP plan." And I am asking if you could give me some examples of corrective action in this instance.

DR. ENGELJOHN: Again, this is Dan Engeljohn. In response, we didn't identify specific things that could be

done. But this was a situation where the plant may not have a sample -- may have a sampling program, but it may be a rather loose program where they don't test routinely but maybe on occasion. And it could just be that this product was not tested, and that would be one thing that they could look at, again reassessing maybe the purchase specifications that they would have in place from the supplier of this product.

MS. KLINKHAMER: Okay. Thank you. For question No. 9, "At this time FSIS does not have specific regulations regarding the control and handling of product that has tested positive for 0157. It does have general procedures for handling the movement of product between official establishments." Could you please describe those procedures?

MS. KLINKHAMER: The answer to No. 9 is also sort of contained within one of the scenarios presented in the answer to No. 13. Part of that corrective action or that control that may be in place would be that if in fact a manufacturer of raw ground beef does not have in place -- or does not have access to cooking facilities and would want to make this product ready to eat, they may in fact work out a method of transferring this product between two official establishments so that the second establishment would in fact fully cook that product so that everything could be

distributed into commerce.

And so one control procedure may be that it could be identified for further processing, and that they have in place procedures to ensure that that other federal establishment would in fact be able to process all that product and account for it.

MS. KLINKHAMER: Earlier you had mentioned that E. coli 0157:H7 contaminated product, if it was to be condemned, would be under an inspector's supervision. In the case where it is going to be sent to another establishment for further processing, is it under an inspector's supervision during the transfer period?

DR. ENGELJOHN: In that particular situation that you just presented, the product is not deemed adulterated because it is going to be further processed to be made ready to eat. And so it is in fact not adulterated product. It is contaminated, but it is under control to be processed.

MS. KLINKHAMER: And is there any special marking or labeling on that product so if it got lost you could identify it as something that has been identified as contaminated with 0157?

DR. ENGELJOHN: Again, this is Dan Engeljohn. The procedures that we would have in place would be the control between those establishments, what they would work out. We don't have regulations that would require special labeling

on that.

MS. KLINKHAMER: Okay. Thank you. I have a question with regard to No. 7. I was wondering if you have any data regarding whether this type of product could absorb E. coli 0157:H7 or other E. coli along with the marinade.

(Pause)

DR. ENGELJOHN: I'm sorry, Heather. I am having difficulty hearing your question. What is the question?

MS. KLINKHAMER: Question No. 12 is regarding a beef cut that has been marinaded. And the answer was that as long as the surface of the beef was not scored, the product would be considered intact. And what I wondering is whether there is any science or data regarding whether E. coli organisms are absorbed by a beef product like this that has not been scored, if the organism can work its way into the product when it is in a marinade.

DR. ENGELJOHN: In response to your question is we would generally believe that an intact cut would have the surface in place such that there would not be the opportunity for the organism to transfer from the exterior to the interior, that that surface that is not cut would in fact prevent that from happening, or it would only be at the exterior surface. So product that simply was marinated, in which it is just coated with it or is sitting in a solution of that, would not present an opportunity for the organism

to transfer into the interior of that normally sterile product.

MS. KLINKHAMER: Okay. With regard to question 13 -- this is with what procedures should an establishment implement if it wants to further process beef that is contaminated with E. coli 0157:H7, in scenario B. These are briskets with corning solution, and then there is a purchase specification that has been negotiated with the specific retail outlets specifying that the corned briskets in the retail ready package will be either sold in the packaging or returned to the official establishment at the end of their use by date.

The retail outlet, is this a restaurant or a grocery store? Is that what you intended by retail outlet?

DR. ENGELJOHN: It certainly could be an option, having either a restaurant or a super market.

MS. KLINKHAMER: I just -- sorry to be repetitive, but I just want to make sure I understand. And so in this instance, the agreement between the retail outlet and the establishment providing these products, that agreement would be the oversight over the handling of these products. The FSIS would not be involved in oversight. Is that correct?

DR. ENGELJOHN: That's true. We would not necessarily be involved in that oversight.

MS. KLINKHAMER: Okay. I'm done. Thank you very

much.

MR. BILLY: Oh, you are very welcome. The next speaker is Nancy Donley.

MS. DONLEY: Thank you. Nancy Donley from STOP. I think I can safely say that we all agree in this room that E. coli 0157:H7 is something that must be addressed at all stages along the food chain, starting at and including the farm. So in that spirit, I urge the National Cattlemen's Beef Association to resurrect their on-farm research projects that they shelved earlier.

I also want to say that we believe that carcasses are a logical place to be testing for 0157:H7, but that they are not the only place that it should be looked for and looked at. So we think that that is again a good starting point, or a continuation, I should say, because I hope the first part is going to be done on the farm, and that we put in place a carcass testing program.

Major quick service establishments are requiring multi-tests, even though they retain control of their product through the final end product that winds up in the consumers' hands and in their mouths. And if they see it as something necessary to go back to their suppliers and say, look, we want to have testing done at multiple points and at multiple -- and under strict guidance and rules, I say that I think that we should all be able to expect that same level

of protection in the food that we buy in our grocery stores as well.

It is a sad day if we ever get to the point where we can say, you know, you are safe to eat a hamburger at a fast food establishment, but I wouldn't trust it out of your own refrigerator or cooking it in your own home. I hate to see that day. And I think I'm really urging that FSIS take the course that we will have an equal level of protection for all consumers, that I can see where a problem with some of the things we heard about today will -- where we could conceivably have less safe product.

I think we do have less safe product in some instances in supermarkets today, and that we don't let the -- I can rattle off a list of names of victims in our organization, including my own son, who became victims, fell victim to contaminated meat through grocery story outlets as well, where those supplier contracts may not be demanding such a high testing regime for product.

We are also asking consumers in a sense to test product as well. And in that sense, I mean that we are now -- our mantra at STOP, and I know FSIS has all their printed documents say use a meat thermometer, make sure it reaches an internal temperature of 160 degrees. So we are asking consumers as well to conduct tests, if you will, to test their food to make sure it is safe before they eat it.

So in that, just to kind of recap, is that the implementation of any one of these strategies that I have mentioned on the farm, on the carcass, in trimmings, in final product, in cooked product -- not any one of those alone is good enough. We need to be doing it all if we are really committed to making meat safer. And so in that spirit again, I would like to urge FSIS to continue its course of action that it is taking on this. And again, I would like to thank you, Mr. Donley, and your agency for really being very proactive.

MR. BILLY: Bernie Shire.

MR. SHIRE: Good afternoon. Bernie Shire from American Association of Meat Processors. My presentation is going to be more in the form of some questions, like a few other people here, and not necessarily to be answered this afternoon, but some things to think about.

The American Association of Meat Processors represents a large part of the small meat industry. We have 1,800 members; 1,500 of them are meat plant operators. They are involved in all phases of the meat business. Some of them make one product, some make dozens of products. Some slaughter one species of animal, other several species. Others do nothing but grind beef. Others still make the bulk of their living from ready to eat products. Still others do a little bit of everything. They have their feet

virtually in all the camps.

They all have one thing in common, though, whether they are slaughtering or processing or dealing in non-intact products. The quality they all share is that whatever they do, they do it on a small scale. I mention that because I have listened to the proposal that the big packers have posed, and some of those proposals sound very promising. But the discussion also raises a lot of questions, questions that I hope will be answered over the next few weeks.

How will this proposal affect small slaughterers as well as the big packers? What responsibility will the ranchers and the farmers have in this matter? It has been proposed as a voluntary program. What happens to slaughterers and others that don't get involved, for whatever reason? Will their product be considered not as good? Is there a danger of a two tier system being set up at some point down the road, a two tier system for inspection?

I was in a small slaughter facility recently where they killed one animal at a time, ten a day, only two days a week. They do a very fine, clean job. And part of that, I guess, is because they don't have to deal with the numbers and other problems that arise in large slaughter plants. They may only have one intervention set up. It seems to take care of everything. If the proposal as outlined goes

through, will these small folks need to go to three or four interventions as well to keep up? What if they don't? Will they be discriminated against? And then what next? What will the next step be down the regulatory road?

Months ago -- I can't see the last part. I guess the last thing I would say is that we hope the agency will extend the comment period for a few more weeks. Our meat inspection committee would like the opportunity to examine more closely what is being discussed, as well as any other changes that may be made, to determine how it will affect all of our members and others in the small meat industry.

Thank you.

MR. BILLY: The last person that is on the list is Caroline Smith-Dewaal.

MS. SMITH-DEWAAL: Thank you, Tom. It is Caroline Smith-Dewaal, with the Center for Science in the Public Interest. I do want to thank you for holding this meeting and airing many views. This is a bit of a different kind of a meeting because we are used to coming in and having, like, a whole morning of the agency presenting its policy, and then the rest of us responding. And today I felt like we came in and the industry presented its alternative or idea for dealing with it, and then there were a lot of questions left over for some people on how the actual policy would work.

I do want to say on behalf of CSPI's one million members that we support the clarification of E. coli 0157:H7 policy. And I think that what -- it is exciting, the kind of innovation and the ideas which are now being tossed around about how to really get a better handle on controlling E. coli 0157:H7 in the pipeline before it gets to the retail, before it gets to the further processor. So I am very excited to hear about the carcass sampling ideas that have been put forward by the largest slaughter operations and the pilot testing which they are agreeing to do. These are all very, very positive things.

I think the problem comes with the carrots. And if it weren't so serious, I would kind of think about my kids, who are always saying, well, if I clean my room, what will I get, you know. It is like, well, you'll get a clean room. Well, that is not necessarily -- they want to know if they'll get their allowance or they'll get something else if they do the right thing.

The reality is that what E. coli 0157:H7 is forcing -- there is a lot of uncertainty. And the question is should the uncertainty be on the fast food restaurants, should the uncertainty be on the meat packers, should it be on the cattlemen, should it be on the consumer. Where should that uncertainty lie? And you, Tom, are the pivotal point to make that decision. And so everyone is saying,

well, don't leave us holding the bag, leave someone else, put the uncertainty somewhere else.

When I look at Dell's map -- and I thought the presentations today were just excellent from the industry. But when I look at Dell's map of where his product went, I think also back to many maps I have seen at presentations by CDC on where the outbreak was. And as we see these products being transported incredibly quickly all over the country, that is what the outbreaks look like. And in addition, it is what the recalls, the nightmare of a recall, looks like. And so I just want to say to the industry, the carrot is that the recall nightmare should be lower.

If you do the carcass sampling proposal that you have put together, you should see fewer recalls, fewer positive 0157:H7's in the marketplace. It should be -- you'll get a cleaner room. I know that doesn't -- it never works with the people I am dealing with. But what you are proposing is a good idea, regardless of what the agency gives you as a carrot, if anything.

I think there is some confusion that I have heard today about the role of the government, and this issue of, you know, less -- we want more prevention from the government and less punishment. Well, the reality is the prevention is within the hands of the industry. It is not the government's job to prevent the problem. And so I don't

see your programs as punitive. I see your programs as designed to try to get the industry to address a problem.

I also strongly believe as a result of the discussions today the industry testing isn't a substitute for government testing. And so don't fall in that trap, saying, well, they are testing, so we don't need to, and making that trade. I don't think that is a fair trade. Consumers want multiple hurdles. We want both the industry testing and the government testing. That is a multiple hurdle approach.

But all of that said, I do support incentive based regulation. And what the industry has come forward with today is a system saying, you know, gosh, if you could make these clarifications and these changes, we'll do more testing, and we want more testing. I would like to suggest some improvements to what we have discussed today in terms of the carcass sampling proposal. I like the clarification where it says -- can I borrow the regulation? And I'll be brief, I hope. Thank you.

I liked the clarification where it changes the language of 4(b)(3) to instead of saying routinely verify the intervention's effectiveness periodically through testing, but where it says through carcass sampling. It should be verification through carcass sampling. I think that gives greater clarification to this policy.

I made my point on the validation versus verification issue. I think that is already in the record. And I also -- I would like to make one addition to what has been proposed today, and that is I think in the issue of certainty, in the issue of not leaving consumers holding the bag with this change, on the issue of a fair policy for consumers, the department should consider the issue of lot size.

If you are going to give an exemption to testing not only to the specific slaughterer or processor, all the way down to retail -- if you are going to give that kind of -- if you are going to have that kind of carrot for the industry, I think you really need to look at lot size. What the industry is saying is we're going to sample 1 out of every 300 carcasses. And I think in that case, the lot size should be from the point of the last negative result to the point of the next negative result because that positive result, that single carcass that is positive for 0157:H7 shows that the interventions, the multiple hurdles in use in that plant, were not working.

And so if you had a lot size that encompassed from the last negative to the next negative, you would encompass the period during which the interventions, the process, was out of control. And we don't know how many of those carcasses went by that were positive for 0157:H7. But I

believe a policy like that, even if the sampling frequency was a minimum frequency of 1 in every 300, it would encourage more sampling. It would encourage the industry because then you could reduce the lot size. And it would encourage faster testing technologies. They would want to get tests that were less than 24 hours as soon as they became available.

I think that that kind of a change would provide much greater certainty for consumers, that this policy actually will serve consumers' interests as well as industry's. Thank you.

MR. BILLY: Thank you. Well, I would like to -- I'm going to open it up for comments generally, both to the most recent comments as well as any other comments that anyone might like to raise at this time. We'll start with Dell.

MR. ALLEN: I'd like to address Caroline's last point. I assure you, as I have said before, if it were physically possible, technologically possible, I would not argue with some of the things you are saying. So I just today -- and this is sharing data, okay -- had a return on it. We are testing carcasses. And when we test a carcass, we isolate the carcass, and that begins by isolating it all the way through the chain so that we don't have cross-contamination possible.

But anyway, carcass slaughtered last Monday, okay, one week ago today, March 1 -- the tests went in as I have indicated before, via air express. Sometime last week, and it was either Wednesday or Thursday, we got the word back that it was a presumptive positive. So the next step is taken. You go through the confirmed negative step. I got those results today, just about an hour ago. If I have that situation in a lot of 300 carcasses, this deal is dead on arrival because my people -- and I am talking -- we cannot afford to have the space. There is no way on God's green earth that we can hold that many carcasses for that length of time.

So until and unless we have some of these testing methods that are more rapid and more readily done, what you are suggesting just will kill this thing before we ever get it off the ground.

MS. RICE: Kim Rice, AMI. I want to address something Bernie said and something Caroline said. And it goes to the issue of large versus small. I just wanted to clarify that there were both large and small processors and packers who participated in this coalition and came up with these recommendations. So this is not large packers bringing something to the table that the small could not. And it has been a discussion all along: make sure we still provide opportunities for the small people to participate in

the directive 10010. And anybody else on the coalition who wants to talk to that can.

MR. BILLY: Marty.

MR. HOLMES: I would confirm with Ken what I said in those meetings, and more than once I heard the large packers say wait a second, we have got to make sure this is workable for the small packers as well. That is not my point, though.

My question is actually for Caroline. I heard you say that you were in support of the USDA's clarification policy. I see their policy as two separate issues, one on trimmings of ground beef and testing of carcasses, which has been proposed here, the other being mechanically tenderized products. And I just wanted to clarify whether you agree with the thing in full or if you see clarifying with part of the issue.

MS. SMITH-DEWAAL: Thank you for your question. It is Caroline Smith-Dewaal. I'm going to have to look at the Kansas State data. We haven't fully -- I mean, I think the issue of needle tenderizing needs to be considered by this industry in light of 0157:H7. I think some of the data, though, that I saw for the first time today was certainly interesting and may inform us as we move forward in writing our comments.

MR. BILLY: Carol.

MS. TUCKER-FOREMAN: Carol Tucker-Foreman again. Could we have a little discussion involving the FSIS people about the point that Dell just made in response to Caroline about the carcass testing and the numbers and how we deal with this problem of isolating every carcass that is tested? I would like to get your response on that.

MS. GLAVIN: What is your question, Carol? How should we handle those carcasses?

MS. TUCKER-FOREMAN: Dell says everybody, when they test a carcass, they isolate it. Therefore, they are reluctant to test more carcasses because it is holding more meat. If they don't isolate it, you are obviously exposed for all of that product in the plant.

MS. GLAVIN: I think what Dell was talking about was not necessarily that if you test more you have to hold more, but it was responding to Caroline saying that every one you test stands for 300 in this proposal, which means that all of your production, every single thing you produce, is held until you have test results. And I think that is what he was reacting to.

MS. TUCKER-FOREMAN: No. Caroline, is that what you were suggesting?

MS. SMITH-DEWAAL: No. It is not that everything was held. It is that you would release lots as you got two negative tests. From negative test -- you are testing 1 in

every 300 cattle, carcasses. So your test would have -- you would move through 300 at a time. Where you got a positive, though, it would implicate meat on both sides. It would actually be 599 carcasses.

But understand, these carcasses go into a cooler for anywhere between 24 and 36 or even more hours. And testing technology is available where if you have enrichment you can get a presumptive positive or negative back within about 24 hours. Now there is a problem Dell has with mailing the carcass -- or mailing the samples from Texas somewhere. So I understand that.

But what we are doing here -- Dell today is dealing with a problem where he -- the policy now would require him to recall 200 million pounds of meat or 2 million pounds of meat a day from that plant from clean-up to clean-up. Or it is some huge amount of meat that is implicated. Here we are saying it is a much smaller amount of meat. We are talking about 599 carcasses versus 4,000 carcasses.

So it is essentially -- it certainly gives us much greater certainty. And otherwise, what Ann Hollingsworth has been suggesting is that you are just going to run this 1 every 300 until there is an outbreak. And as soon as there is an outbreak and your product is implicated, then gosh, you are going to take all kinds of control measures. But

what that does is that leaves consumers holding the bag.

MR. ALLEN: I would defer to some of the microbiologists here in terms of the number of presumptive positives that occur that end up being negative. My experience is they are considerable. I cannot -- I'll emphasize it again. If I go back to my people who run my operations and tell them we have got to hold 300 -- now you have got it to 600 -- carcasses from Monday last March 1 to this day, they are going to look at me and say we're much better off not even knowing, so let's don't even test. That is going to be the reaction of about anybody that faces that kind of a situation.

MS. SMITH-DEWAAL: But it also creates an incentive, Dell, for you to test more frequently.

MR. ALLEN: Yeah. But I can't. I have already told you that I can't, physically cannot do that.

MS. TUCKER-FOREMAN: It is Carol again. Is the problem that it takes you too long to get the test results back? Are you holding for so long because you have to get those test results back?

MR. ALLEN: That is exactly right. Once we test, we will not release whatever is tested until we get the test results back.

MS. TUCKER-FOREMAN: Dell, this goes back to who ends up having to -- I hate to use the term "hold the bag"

on this. We would like to keep the pressure on you to create a technology that gets you those answers a lot faster rather than create a system that is dependent on less testing. You have much more influence in order to be able to drive that technology. And if you remove that pressure to drive the technology, you'll never be able to do more testing.

MR. ALLEN: That pressure is there and will not go away, I assure you.

MS. TUCKER-FOREMAN: I think your proposal, which I find very interesting and, you know, I would like to find a way to be more positive about it, is -- one of the things that just keeps coming back to me is it removes the pressure to drive the testing technology forward as quickly as I think that it has to go forward.

DR. HOLLINGSWORTH: Ann Hollingsworth, Keystone Foods. The pressure for increased testing, regardless of what happens here, is not going to go away. There are a lot of dollars to be made to the person or group of people who develop the testing that can give us more rapid answers. There are, as Dell alluded to earlier, those of us that are in positions like his position, my position, and many of the rest of the guys on this side of the table at least, probably most of us around this room.

We get people that have a new test that is going

to give us everything we want to know at least once a week and many times multiple times in a week. It takes time to develop those tests. It takes time to verify that what we think we have got in the develop of tests will indeed do what we hope it will do. It takes a lot of what we call beta-site testing. And there are numerous machines and systems out there that are in beta-site testing protocols right now that are working towards making this kind of thing a reality.

I don't believe that regardless of what the agency does on E. coli 0157:H7 testing that that pressure is going away, because there is a lot of money to be made and the people that are working in that area or have the expertise to work in that area are fighting feverishly to be the first guys to cross the line.

DR. WACHSMUTH: I can clarify the technology question.

MS. TUCKER-FOREMAN: I beg your pardon?

DR. WACHSMUTH: I wanted to clarify the technology of the screens just to give you some context for what Dell mentioned. With our screening test for 0157:H7, we get between 20 and 25 false positives for every confirmed positive. And we have looked at things like the Qualicon and other instruments, and they have approximately the same rate. What you don't want is something faster that is going

to give you false negatives so that you miss something. You want to make sure you pick up everything. And the cost of picking up everything is a large number of false positives.

MS. TUCKER-FOREMAN: It is Carol again. I think that I at least end up being in the position of saying when you get the technology to do more tests, then we can talk about what you are proposing. And it is hard to talk about it when it is just 1 in 300, and we clearly feel very uncomfortable about it.

MR. DANIALSON: Carol and Caroline, just a couple of responses, the holding the bag issue, who is holding the bag. I don't think that we can -- I mean, I will emphasize that, you know, I mean, putting the validated interventions into this bag, the policy bag, is the key element here. If we were just sitting over here and saying, let's just go to this carcass testing program and we don't need these interventions, you don't need the HACCP process, I think, you know, you could legitimately question that we are losing something here.

The interventions and the validated interventions in the process is key of where we have evolved over the last few years. You say we are reducing frequency. Well, the pilot will tell us that. One in 300 sounds like a lot. If I have one of my beef plants 1 in 300, that is about once an hour, where today that plant is getting sampled four times a

year by USDA. One in 300 sounds a lot in -- or doesn't sound like much. In reality, it is a lot of sampling, and it is a lot of surveillance that is being conducted in these plants in association with the interventions that are coupled with them.

MR. HOUISKEN: Rod Houisken, Houisken Meats. I believe everybody in this room is doing the very best that they can do to help with this problem, from industry with a lot of innovative ideas, the USDA, as well as the consumer groups here. We have a very tough problem. But there is one thing that we can do, each one of us, to help eliminate the illnesses from E. coli 0157:H7. I would like to talk about that in just a second.

As I travel around the country, when I go to a restaurant or when I visit homes, I will ask for a hamburger and ask if I can have it rare. And in about eight cases out of ten, the waitress will say sure, we serve it your way. And I say, aren't you worried about E. coli? And she says no, my product has been tested.

Okay. What can we do to help solve this problem? Many of you people here are in front of public television or radio quite often. And I would like to put out a challenge to the consumer groups, to the USDA, anybody that has a voice, when you talk about this problem, there is one sure and easy way to solve it. In addition to what we are all

doing in this room, the housewife needs to fully cook the patty. And that message needs to get through. So I challenge each one of you, when you have the opportunity, speak about fully cooking your patties. Thank you.

MR. MROZINSKI: I would like to -- my name is Pete Mrozinski, and I with Qualicon. And I just want to make a couple of statements. There has been a lot of talk about false positives and confirmed negatives. And I am not a microbiologist, but I have been working in this area using DNA methods for detecting E. coli. And I think the term "confirm negative," first of all, is misleading. You cannot confirm a negative, especially for this organism. The standard methods for confirmation are not adequate to either confirm a positive or a negative.

There are DNA methods available today that can specifically find the organism at very low levels in ground beef or in any beef. The term "false positive" is another term that has been used a lot. And when you are talking about a screening method in microbiology, a false positive is defined traditionally as a positive that the screening method finds that your standard method does not find. That can't really hold in this case because the standard methods are not good enough to find the organism.

So you need to think of a false positive as a known interaction, a known failure of the test. And with

many screening tests, there are known failures, there are known cross-reactivities. And that is a real false positive. With genetic tests that can be tuned to the organism specifically, we know that we can get tests that do not cross react with other organisms and therefore do not produce false positives. But they also cannot be confirmed culturally, but that is a failure of the culture method, a failure of the confirmation, not a failure of the screening test.

So there is a lot of talk about false positives and confirmed negatives that I think get confused a lot, especially when you are talking about this organism in particular because it is very difficult with standard methods to culturally isolate. Thank you.

MR. BILLY: Phil.

MR. OLSSON: Thank you. I would like to address -- Phil Olsson of Olsson, Frank & Weeda. I would like to address Carol Tucker-Foreman's comment regarding more rapid test methods. And I think there are a number of people who share the desire to see more rapid test methods. I was speaking earlier with Nancy Donley, speaking about a desire for real time test methods.

But I don't think it is entirely up to the Dell Allens of the world to get there. And the reason I say that is that if you would look on the ARS Web site right now, you

would find that they identify a new test method for E. coli 0157:H7 with a six hour turnaround that is 10 to 100 times more sensitive than what is available.

This was introduced to the industry at a meeting two or three weeks ago in California with a caveat from an FSIS official that it would need to be enriched. And so don't look at six hours, look at 24 hours. So suddenly you are getting back into the very problem that Dell Allen describes, which is that if you have got a six hour machine, you buy it, you make the test right at the packing plant. If you have got a 24 hour process and enrichment, you send it out, and you get a three or four day process, and that is what backs him up, the point being that this is an area like so much of what is going on here that we need cooperation.

And I think -- I mean, you are as cooperative as anyone. I'm not, you know -- we are not on opposite sides of this issue. But I think there is a lot of potential in all of us working with the agency to get better test methods. Industry only wants to use test methods that are being used by the agency because you want to do the same thing they are doing. Thank you.

MR. BILLY: Rosemary.

MS. MUCKLOW: Tom, Phil is absolutely right. And new and better test methods are going to be welcomed. Even as we sit here today, there are people researching, out

there doing some field tests on new interventions. This industry is looking in a very fertile way to try to solve this problem. They recognize it is a problem. The Beef Industry Food Safety Council Consortium has been looking at it and doing a lot of stuff to try to address the issue.

I did want to raise a point that I didn't mention earlier on, and that is it is like a shoe shop. No one size fits everybody. And Kim Rice has talked a little bit about there being involvement of some of the smaller firms in this effort to come to you today and to suggest truly that there is going to be a great deal more testing and more information to give us a better handle on looking for this microorganism.

I would urge you that we also need to remember some people that I once upon a time forgot, and they reminded us when they came to the Michael Taylor six day meetings, and that is some of the ethnic slaughterers, halal and kosher. They don't like interventions at all. And so we must be very mindful of the fact that there are people who can get a carcass clean with methods other than the ones that we are talking about today, and we need to be very careful not to count them out as we sweep along with some new ideas -- a lot of ways of getting to the end of the line that are called "food safety outcomes," I think is what Dr. McKenzie from New Zealand calls them. We need to be

able to determine what those food safety outcome expectations are.

We are talking about a lot more testing. And I could read you the statement again, but you don't want to hear it for the second time. No, I didn't think so. I haven't got the voice for it anyway. Thank you very much.

MR. BILLY: Yeah. We have talked about that and are aware that there are special ways of slaughtering and processing animals to meet certain religious requirements. And we will take that into account as we move forward in this. Over here.

MS. WHITE: My name is Jill White. I am from IGEN International, the company to which Phil Olsson referred to for the technology that FSIS just announced. And that six hour test includes the enrichment time. It takes one hour to run the test on our machine, 50 samples analyzed at one time, and the enrichment time is five hours, actually, so it is six hours total for the test.

MR. OLSSON: And let me point out that the slide was correctly presented. It is correctly presented on the ARS Web site. It is just that it was introduced at the industry meeting as requiring additional enrichment, even though it is already 10 to 100 times as sensitive. And I think what we are hearing today is we need 10 to 100 times as fast.

MR. BILLY: Okay. Heather and then Jim.

MS. KLINKHAMER: I have a couple of questions about the testing. I can't remember which one of the industry representatives earlier in the meeting said that the combo purge test was not a good one. And I was hoping that whoever made that remark could explain why the purge test has been dismissed. And also, I wanted to know if anyone here has information about whether testing intact beef products would yield more results than ground products because it is my understanding that because ground products come from a larger pool and are mixed around that you are more likely to get a positive test in the ground product, if there is E. coli there.

MR. BEILA: Tim Beila with American Food Service. I made the comment about the purge sampling and testing. There was research published -- I don't have it here with me today -- that addresses or actually compared different types of sampling and testing methods, specifically comparing combo purged trimming and things like that. And there is no good correlation that can be established between surface sampling and testing and the purge that is collected from a combo bin.

To go further with that, there are some types of trimming that do not have a significant amount of purge available to sample. And again, I don't have that in front

of me, but if you would see me afterwards I can get you a copy.

MS. KLINKHAMER: Do you recall, was it a research institution or ARS?

MR. BEILA: It was a university research project.

MS. KLINKHAMER: Okay.

MR. BILLY: Jim.

MR. HODGES: Thanks, Tom. Jim Hodges, American Meat Institute. The point we have reached today has virtually taken us years to get here. It is a point where I think no one in the industry would have supported four years ago, and it is not without burden, it is not without cost. But it is something that we think is necessary to be done. It is necessary because one, it will give us more information than what we have today.

The American Meat Institute Foundation is initiating a very aggressive research agenda. One of those things that will be coupled, hopefully, if this moves forward -- one of those areas that we hope to couple with this carcass sampling program is to determine the incidence level of 0157 coming in on animals, whether it be on the hide, whether it be in the intestine. But we can't do that unless we have some ability with the regulatory agencies to cooperate to make this logistically possible.

If we don't -- if we are talking about holding 300

carcasses, we are not talking about verification of an intervention system. What we are talking about is an accept or reject criteria on some defined lot. And there is not any sampling program that can be designed that is statistically valid that will accept or reject product.

So I am pleading with this group, both the regulatory agencies and the consumer community, that we need the ability to take a step forward. It is not where we were hoping we were going to be. It is not the solution to the problem in its entirety. But it is clearly and unequivocally a step forward. And if we start to put it in the context of being a disincentive, we are going to stay right where we are. We have got to move forward, and we need your help.

MR. BILLY: Caroline, and then I think we'll wrap it up.

MS. SMITH-DEWAAL: Caroline Smith-Dewaal, Center for Science in the Public Interest. I really don't see a proposal on the lot size issue as making it an accept or reject system at all. And I really -- I think the industry has made tremendous progress here and carcass sampling is -- you know, you have convinced me this is the way to go. The issue is, how do we protect consumers while we are gathering the data that will give us sufficient certainty in the carcass sampling system?

And I think you have gone a tremendous way. I just don't think we are quite there yet with the certainty of the sampling proposal. So I would like -- I just wanted to be clear that what we are talking about very much is a HACCP system that chose interventions -- a positive result would show interventions are not working as well as they should be. Thank you.

MR. BILLY: All right. I would like to wrap this up, unless someone else has a burning comment, a burning comment.

(Laughter)

MR. BILLY: I think that notwithstanding some of the issues that have been raised, that we have reached a very important crossroads. The feel of this meeting and the ideas that have been put forth and the concerns and so forth that have been raised have a remarkable different feel to them than what at least I experienced a few years ago. I think there is a chance represented in what has been put on the table, as well as considering the issues raised. There is a chance to turn in a new direction. And I am going to do my best and have the agency do its best not to lose this opportunity.

The dialogue is real important. And the dialogue doesn't have to be limited to a public meeting called by FSIS. People are around, and there are phone numbers

available. And I think as we move forward continuing the dialogue can do a lot to help all of us collectively figure out the proper approach in this new direction.

The industry coalition has put a proposal, at least in an outline form, on the table. You have heard some support for it. You have heard some questions raised about it. We are prepared to provide a framework in which you have some time to consider all of this input and then to provide us in writing a more specific proposal that all of the participants and anyone else could then consider and comment on this part of this process. I think that makes a lot of sense to me and will net us a better record, a better set of comments to consider how to continue this positive direction.

I think that the comment period is very important, and I know that all of you here, because you are here, care about this. And I think you can provide a very valuable service in terms of public health by being an active participant in this process.

For some of us, it is hard to appreciate the kind of numbers that Dell Allen put up at the beginning in terms of one plant and the production from one day and what happens to that production and the logistics and the practicalities of dealing with some of these issues.

At the same time, it is important that we

appreciate the concerns of the consumers in terms of having an approach that nets for them the best possible protection from a public health perspective. And therein, I think, is where we need to continue this process and sort out an approach that will net us the kind of movement in a new direction that this discussion today represents.

So I guess if I wanted to leave you with anything, it is to encourage you all to continue this dialogue, be a full participant in this process. And I think if you are, we will really achieve something here that we can all be proud of. So again, thank you very much for your participation today.

MS. MUCKLOW: Tom, before we go, do you understand that now there will be a request to extend the comment period? We'll get a document from -- a fuller document from the industry and you'll publish that?

MR. BILLY: My intent is to take the request from Bernie and other comments today as a request for a longer comment period. I heard earlier from the industry a willingness -- and they can confirm this -- to provide something in writing that would help all participants comment, if that is correct, a proposal that would put in writing what we heard about today. I believe I heard that, Kim.

MS. RICE: Say that again.

MR. BILLY: It is a proposal that lays out the approach that was outlined here today for a pilot project that would include the various features that were put on the table and how this would all work. Is that correct?

MS. RICE: Yeah.

MR. BILLY: I see some heads shaking. I don't hear a yes.

MS. RICE: Yes.

MR. BILLY: And when would be a reasonable time for that, maybe by the original deadline?

MS. RICE: We'll get back to you in a couple of days.

MR. BILLY: Okay.

MS. RICE: I'll get back to you by Wednesday.

MR. BILLY: Yeah. I think what we'll do is make it available.

MS. GLAVIN: If we did it on the Web site through the constituent update, that kind of thing? Okay.

MR. BILLY: We'll get it available.

MS. GLAVIN: Putting it in the Federal Register will take us the rest of the year.

MS. MUCKLOW: I understand. No, no, no, no. We'll be doing this.

MR. BILLY: Okay. And then we'll provide an opportunity for comment. All right. Is that clear? Is

everyone clear on that? Any questions? Okay. Again, thank you all very much.

(Whereupon, at 3:30 p.m., the public hearing was adjourned.)

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In Re: Raw Beef Products
Name of Hearing or Event

N/A
Docket No.

Washington, DC
Place of Hearing

March 8, 1999
Date of Hearing

We, the undersigned, do hereby certify that the foregoing pages, numbers 1 through 168, inclusive, constitute the true, accurate and complete transcript prepared from the tapes and notes prepared and reported by Shari R. Bowman, who was in attendance at the above identified hearing, in accordance with the applicable provisions of the current USDA contract, and have verified the accuracy of the transcript (1) by preparing the typewritten transcript from the reporting or recording accomplished at the hearing and (2) by comparing the final proofed typewritten transcript against the recording tapes and/or notes accomplished at the hearing.

3-26-99
Date

Mary Ellen Feldberg
Name and Signature of Transcriber
Heritage Reporting Corporation

3-26-99
Date

Meredith Page
Name and Signature of Proofreader
Heritage Reporting Corporation

3-8-99
Date

Shari R. Bowman
Name and Signature of Reporter
Heritage Reporting Corporation

Heritage Reporting Corporation
(202) 628-4888